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MARCH 14, 2019

VIA ECF

Honorable George B. Daniels
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Oraegbu v. Axion LLC et al.*
Civil Action No. 18 Civ. 10688 (GBD)

Dear Judge Daniels:

This firm represents named plaintiff Emeka Oraegbu (“Oraegbu” or “Plaintiff”) in the above-referenced action. We write, jointly with counsel for defendants, pursuant to Your Honor’s February 15, 2019 Order (Dkt. No. 26), to respectfully request that Your Honor restore the action to the Court’s docket.

On February 14, 2019, the parties submitted a joint letter informing the Court that the parties had reached a settlement in principle and requesting that all upcoming deadlines be adjourned *sine die*. (Dkt. No. 24). Subsequently, on February 15, 2019, the Court ordered the Clerk of Court to close the above-referenced action without prejudice to restoring the action if an application to restore was made within thirty (30) days. (Dkt. No. 25-26).

As of the date of this submission, the parties have finalized a settlement agreement and fairness letter explaining why the negotiated settlement agreement constitutes a fair and reasonable compromise of this matter, pursuant to the Fair Labor Standards Act (“FLSA”) and the Second Circuit’s decision in *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015), which the parties anticipate filing on March 14, 2019. Thus, the parties respectfully request that the above-captioned matter be restored to the Court’s calendar so that we may submit the settlement agreement and fairness materials for Court approval.

We appreciate Your Honor’s attention to this matter. Please contact the undersigned should you have any questions regarding this submission.

Respectfully submitted,

HON. GEORGE B. DANIELS
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/s/ Brent E. Pelton

Brent E. Pelton, Esq. of
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cc: All counsel (via ECF)